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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Smith et al.
Appl. No. 10/765,223
Filed: January 26, 2004
For: REFERENCE WAFER AND
PROCESS FOR
MANUFACTURING SAME
Art Unit: 1756
Examiner: Young, Christopher G.

hereby certify that this correspondence and the attached papers are being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated below in an envelope addressed to:

Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

1/6/06 Michael Melander
Date Signature

TRANSMITTAL LETTER
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed are the following documents:

- 1) Transmittal Letter;
- 2) Response to Restriction Requirement;
- 3) Return Postcard for this transmittal.

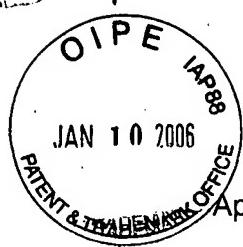
The Commissioner is hereby authorized to charge any fee, including any submitted herewith if the attached check(s) is in the wrong amount or otherwise improper or missing, that may be due in connection with this and the attached papers, or with this application during its entire pendency to or to credit any overpayment to Deposit Account No. 50-1213. A duplicate of this sheet is enclosed.

Respectfully submitted,
HELLER EHRMAN LLP

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1/16/06
Date

Michael De Molena
Signature

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed December 8, 2005 containing a restriction requirement, Applicant hereby elects Group II (Claims 30-41), drawn to a method of using a reference wafer.

The Examiner required election between Group I (Claims 28 and 29) and Group II (Claims 30-41). Applicant reserves the right to file continuing applications directed to the non-elected claims.

Respectfully submitted,
HELLER EHRMAN LLP

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